

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH FORESTA : CIVIL ACTION
 :
 v. : NO. 23-1379
 :
 AIRBNB, INC. :

ORDER

AND NOW, this 27th day of September 2023, upon considering defendant Airbnb, Inc.'s motion to compel arbitration and to stay proceedings, and to dismiss for lack of personal jurisdiction (DI 7), plaintiff Joseph Foresta's response (DI 13), defendant's reply (DI 14), and following oral argument held today with all counsel, it is **ORDERED**:

1. Plaintiff shall, no later than **October 4, 2023**, submit any evidence relating to the question of whether Airbnb, Inc. is registered to do business in Pennsylvania such that general personal jurisdiction would be established under *Mallory v. Norfolk Southern Railway Co.*, 600 U.S. ----(2023);¹ and,

2. Defendant shall file any response to plaintiff within 7 days of plaintiff's submission.


MURPHY, J.

¹ At the hearing, plaintiff drew our attention to paragraph 3 of the complaint, which alleges that "Airbnb is an LLC . . . registered to do business in the Commonwealth of Pennsylvania." DI 1 at 11. Defendant represented that this is incorrect. We are providing plaintiff with an opportunity to file any pertinent evidence.